IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 30803 of 2006(P)

PETITIONER:

PATTOM THANU PILLAI MEMORIAL COLLEGE
OF EDUCATION,
MARUTHOORKONAM, KOTTUKAL P.O., BALARAMPURAM,
THIRUVANANTHAPURAM-695 501, REP. BY THE MANAGER
V.SANTHAKUMARI AMMA.

BY ADV. SRI.GEORGE POONTHOTTAM
SMT.PRINCY XAVIER

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED
BY THE SECRETARY TO THE PRINCIPAL
SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION/
COMMISSIONER FOR ENTRANCE EXAMINATIONS,
HOUSING BOARD BUILDING,
THIRUVANANTHAPURAM-01.

3. THE VICE CHANCELLOR,
UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM.

4. THE UNIVERSITY OF KERALA,
REPRESENTED BY THE REGISTRAR,
THIRUVANANTHAPURAM.

R1 & R2 BY GOVERNMENT PLEADER MR.T.B.HOOD
R4 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

W.P.(C) No.30803 of 2006

Dated this the 30th day of November, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

Pattom Thanu Pillai Memorial College of Education has filed this writ under Article 226 of the Constitution of India praying issuance of a writ in the nature of mandamus directing the Vice Chancellor and the University of Kerala, 3rd and 4th respondents herein, to approve staff list and grant affiliation so as to enable the petitioner to commence academic session during the academic year 2006-07 in terms of Ext.P2 order of recognition. It is the case of the petitioner that they submitted application for grant of recognition by National Council for Teacher Education (NCTE) to start a B.Ed. College in the name of the petitioner. The application was considered by the NCTE and granted recognition as per Ext.P2. Application was given to the University for affiliation as per Ext.P3 on 30th August, 2005. No objection

for granting affiliation for the academic year 2006-07 was granted as per Ext.P4. However, on getting recognition from NCTE the University is not granting affiliation on the basis of a communication from the State Government. It is the case of the petitioner that when recognition is granted by the NCTE under Section 14(3)(a) of the National Council for Teacher Education Act, a further duty is cast upon the University to grant affiliation in terms of the said section.

2. Learned counsel appearing for the University States that an inspection was carried out in terms of the letter dated 24.11.2006 issued to the petitioner and that the University is prepared to grant affiliation to the petitioner institution and further that necessary order would be passed within seven days from today.

3. At this stage, counsel for the petitioner states that the petitioner institution may be permitted to start classes. We need not, however, comment anything on the aforesaid contention of the learned counsel, but for to observe that once affiliation is

granted, the petitioner may start classes, if permissible under the rules.

Writ petition is disposed of accordingly.

V.K. BALI,
CHIEF JUSTICE.

S.SIRI JAGAN,
JUDGE.

vns